

## Message Text

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ORIGIN ARA-10

INFO OCT-01 ISO-00 EB-07 CIAE-00 COME-00 DODE-00 DOTE-00

FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06 OES-06 L-03

INRE-00 /042 R

DRAFTED BY ARA/CEN:MJPLATT

APPROVED BY ARA/CEN:MWEISSMAN

EB/TT/MA:APURNELL

ARA/ECP:DTAHER (INFO)

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FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA IMMEDIATE

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E.O. 11652: GDS

TAGS: EWWT, PFOR, GT

SUBJECT:SHIPPING DISPUTE, DELIVERY OF AIDE MEMOIRE

1. DEPARTMENT DELIVERED FOLLOWING AIDE MEMOIRE TO  
GUATEMALAN AMBASSADOR MALDONADO ON SEPTEMBER 30. BEGIN  
TEXT:

"THE DEPARTMENT OF STATE WISHES TO INFORM THE EMBASSY OF  
GUATEMALA THAT, IN THE ABSENCE OF A SOLUTION TO THE PRO-  
BLEM POSED FOR NON-DISCRIMINATORY TREATMENT OF SHIPPING  
BY DECREE 41/71, THE FEDERAL MARITIME COMMISSION PLANS  
TO PUBLISH, ON OR ABOUT NOVEMBER 1, 1976, A PROPOSED RULE  
THAT WOULD IMPOSE AN EQUALIZING FEE OF FIFTY PER CENT OF  
THE FREIGHT CHARGES ON ALL GOODS TRANSPORTED FROM THE  
UNITED STATES TO GUATEMALA BY FLOMERCA AND OTHER CARRIERS  
ASSOCIATED WITH IT UNDER DECREE 41/71. COMMENTS ON THE  
PROPOSED RULE WILL BE ACCEPTED FOR A PERIOD OF FORTY-FIVE

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DAYS.

"AFTER STUDYING ALL COMMENTS SUBMITTED, INCLUDING ANY  
SUOMITTED BY FLOMERCA AND ITS ATTORNEYS, THE FMC WILL  
THEN VOTE ON WHETHER TO BRING THE PROPOSED RULE INTO EFFECT.  
IN VIEW OF THE FMC'S PREVIOUS DECISION TO IMPOSE EQUALIZ-  
ING FEES, AND IN THE ABSENCE OF ANY MODIFICATION OF DECREE

41/71 OR OF ITS ENFORCEMENT IN THE FOREIGN COMMERCE OF  
THE UNITED STATES, IT CAN BE EXPECTED THAT THE FMC WILL  
VOTE TO IMPOSE EQUALIZING FEES.

"THE DEPARTMENT OF STATE HOPES THAT A SOLUTION CAN BE  
FOUND TO AVOID THE IMPOSITION OF THIS MEASURE." END TEXT

2. CEN OFFICERS BRIEFLY REVIEWED HISTORY OF SHIPPING DIS-  
PUTE WITH MALDONADO. WE EMPHASIZED THAT U.S. GOVERNMENT  
HAD HELD OFF IMPOSITION OF COUNTERVAILING FEES ORIGINALLY  
SET FOR FEBRUARY 14 BECAUSE OF EARTHQUAKE, BUT THAT IN  
ABSENCE OF ANY CONCRETE ACTION ON THE PART OF THE GOG  
TO RESOLVE THE MATTER, FMC SEES NO CHOICE BUT TO GO AHEAD  
WITH BEGINNING OF SECTION 19 ACTION. MALDONADO SAID  
THAT HE WAS AWARE OF SERIOUSNESS OF THE SITUATION, AND  
THE SHORT TIME REMAINING FOR A SOLUTION. HE WILL BE  
CALLING VICE MINISTER OBIOLS AND ENRIQUE PERALTA OF  
FLOMERCA THIS EVENING (SEPTEMBER 30) AND WILL RECOMMEND  
THAT THE GOG GIVE FULLEST CONSIDERATION TO QUICK ACTION  
TO RESOLVE PROBLEM. ROBINSON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DISPUTE SETTLEMENT, TEXT, STEAMSHIP LINES, AIDE MEMOIRE  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 30 SEP 1976  
**Decaption Date:** 01 JAN 1960  
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**Disposition Approved on Date:**  
**Disposition Authority:** powellba  
**Disposition Case Number:** n/a  
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**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
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**Drafter:** MJPLATT  
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**TAGS:** EWWT, PFOR, GT  
**To:** GUATEMALA  
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